



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified claim(s) Against the City of Lodi

MEETING DATE: April 16, 2003

SUBMITTED BY: Human Resources Director

RECOMMENDED ACTION: To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

A) Leticia Haro

DOL: 3/12/03

BACKGROUND INFORMATION: Following review of the verified claims filed against the City of Lodi, the Risk Manager and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), recommend that the City deny the subject claims.

FUNDING: None required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kirk Evans", written over a horizontal line.

Kirk Evans, Senior Human Resources Analyst

cc: City Attorney

APPROVED: _____

A handwritten signature in black ink, appearing to read "H. Dixon Hynn", written over a horizontal line.
H. Dixon Hynn -- City Manager

CITY COUNCIL

SUSAN HITCHCOCK, Mayor
EMILY HOWARD
Mayor Pro Tempore
KEITH LAND
JOHN BECKMAN
LARRY HANSEN

CITY OF LODI

CITY HALL
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H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

April 17, 2003

Leticia Haro
P.O. Box 2754
Lodi, CA 95240

RE: Claim against the City of Lodi
Claimant: Leticia Haro
Date of Loss: 3/12/03
Our Claim Number: 813-03

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on March 14, 2003 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA